

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO

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IN RE:  
RIO PIEDRAS EXPLOSION LITIGATION

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CONSOLIDATED CIVIL ACTION  
NO. 96-2443 (RJW)

STATE INSURANCE FUND, ET AL.,

Plaintiffs,

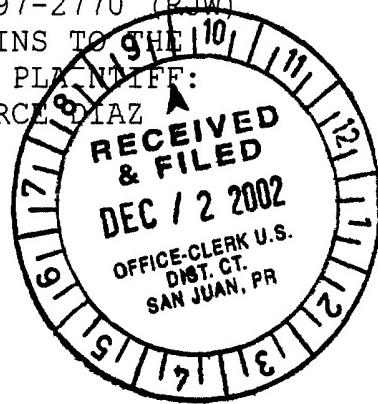
-against-

ENRON CORP., ET AL.,

Defendants.

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THIS MOTION RELATES TO  
CASE NO. 97-2770 (RJW)  
AND PERTAINS TO PLAINTIFF:  
LUIS A. ARCE DIAZ



ORDER AND JUDGMENT

The Manager of the State Insurance Fund Corporation ("the Fund"), on behalf of plaintiff Luis A. Arce Diaz, filed a "Motion Requesting Leave to Withdraw as Counsel of Record and for Dismissal Without Prejudice," dated November 15, 2001. The Fund alleges that efforts to contact Mr. Arce Diaz have been unsuccessful and attached to the motion is a copy of the letter, dated October 3, 2001, sent to him by certified mail.

Rule 41(b) of the Federal Rules of Civil Procedure provides that a court may order the involuntary dismissal of any claim or action for failure of the plaintiff to prosecute or to comply with the Federal Rules or any court's order. Mr. Diaz's lack of response to his attorneys' communications is a clear sign of his lack of interest in his claim.

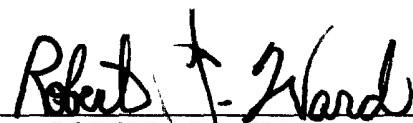
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(3652)

The Court GRANTS the Motion to Withdraw as Counsel of Record. Plaintiff's claim is dismissed with prejudice pursuant to Federal Rule of Civil Procedure 41(b).

It is so ordered.

In San Juan, Puerto Rico, this 27<sup>th</sup> day of November, 2002.



ROBERT J. WARD

United States District Judge

